

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 5 and 6 are being canceled.

Claims 1, 3, 7, 9, 28, 29, 35 and 37 are being amended. The amendments to claims 7, 9, 28, 29, 35 and 37 do not affect the scope of those claims.

Claims 39 and 40 are being added.

This amendment adds, cancels and amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-4, 7-10, 28, 29 and 35-40 are now pending in this application.

In the Office Action mailed September 12, 2003, claims 1, 3, 7 and 9 were objected to because of no antecedence for the first recitation of "the state" in each of those claims. By way of this amendment and reply, these claims have been amended to overcome this objection.

In the Office Action, claims 1-10, 28, 29 and 35-38 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,085,019 to Ito; and claims 1-10, 28 and 29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,883,621 to Iwamura in view of U.S. Patent No. 5,054,022 to van Steenbrugge. These rejections are traversed with respect to the presently pending claims, for at least the reasons given below.

First, please note that the present invention is not merely an automated approach for performing a known non-automatic operation, but much more. By way of the present invention, a system of multiple apparatuses operates as a single apparatus from a user's perspective.

Turning now to the rejection of claim 1 based on the teachings of Ito, that reference discloses recording/reproducing control circuit 34 that, according to the Office Action, corresponds to the claimed network management apparatus. Even if this is the case, Ito's recording/reproducing control circuit 34 is the device that searches for empty or available recording regions in recording/reproducing device 26, and then it identifies an available region for which video and audio data is to be recorded. That information is provided to the data I/O device 10 that initially made the request to the recording/reproducing control circuit 34.

In contrast to the features recited in claim 1, in which a requesting video apparatus is the one that makes decisions as to which of a plurality of other video apparatuses to utilize as a communication partner, and whereby the network management apparatus of the claimed invention merely collects state information provided by the video apparatuses and supplies the collected state information to a requesting one of the video apparatuses, Ito's recording/reproducing control circuit 34 clearly can be a bottleneck in his system by having to be the sole device that makes "communication partner" decisions for all other components on the network.

In stark contrast, the network management apparatus of the claimed invention is not nearly as loaded down as the recording/reproducing control circuit 34 of Ito, since in the claimed invention it is the video apparatuses that determine which of the other video apparatuses is to be their communication partner based on state information provided to them by way of the network management apparatus.

Furthermore, Ito discloses a video editing apparatus that correctly and rapidly transfers a picture between devices at a designated time. In Ito's system, the connection for copying a picture is controlled by a time code. The time code is information for editing a program and the time code includes a connection source, a connection destination, a start time or frame and an end time or frame which are arranged in the order of reproduction.

As mentioned above, in Ito, a picture is reproduced and recorded after a connection source and a connection destination are determined by a time code. On the other hand, according to present invention as exemplified by claim 1, because a necessary logical connection is automatically established between apparatuses by notification of the function of each apparatus and program information, it is not necessary for a user to describe the connection of the apparatus. In addition, it is apparent from the use of "Table of Contents (TOC)" that Ito's "finding a vacant area when recording" corresponds to finding a vacant area in a single recording apparatus such as a hard disk drive, and is not directed to finding an available apparatus among a plurality of apparatuses. Furthermore, it is apparent from the use of "Table of Contents (TOC)" that Ito's "recognition of an address" corresponds to recognition of a sector of a recording apparatus such as a hard disk drive, and is not directed to recognition of a network address of an apparatus on a network (of which other apparatuses are also connected to). In the present invention according to present invention as exemplified by claim 1, a network address of an apparatus on a network is recognized.

Accordingly, claim 1 is not anticipated by Ito.

With regard to the rejection of claim 3 based on the teachings of Ito, the Office Action summarily asserts that the rejection of claim 1 applies equally as well to the rejection of claim 3. However, this rejection is clearly in error since the apparatus of claim 3 operates in a much different manner than the apparatus of claim 1. In claim 1, a network management apparatus, a central entity so-to-speak, collects state information output by the plural video apparatuses connected to the network, and provides that information to a requesting one of the video apparatuses. In claim 3, in contrast, there is no network management apparatus, and whereby each of the video apparatuses is capable of inquiring about the states of the other video apparatuses on the network, and whereby the requesting one of the video apparatuses makes a determination as to who is to be its communication partner based solely on that information. In Ito, a central entity, that being the recording/reproducing

control circuit 34, collects information from the I/O devices 10 on the network, and whereby the recording/reproducing control circuit 34 makes a decision as to which other device is to be utilized to store information. Thus, since Ito utilizes a network management apparatus-like device and since Ito's network management apparatus-like device makes the communication partner decisions, Ito's system does not anticipate the features recited in claim 3.

With respect to independent claim 7, which is written in means-plus-function language, the means for inquiring and then determining is a component of a video apparatus, and therefore does not correspond to network management apparatus-like recording/reproducing control circuit 34 of Ito.

Similarly, with respect to independent claim 9, which is written in means-plus-function language, the means for inquiring and then determining is a component of a video apparatus, and therefore does not correspond to network management apparatus-like recording/reproducing control circuit 34 of Ito.

Also, with respect to independent claim 28, as discussed above with respect to claim 1, Ito's recording/reproducing control circuit 34 makes the determination as to an available recording region of various devices in his network, and whereby this decision is provided to a requesting data I/O device 10. In claim 28, on the contrary, the broadcasting receiving component would be the component that makes the determination, and not the managing component.

With respect to independent claim 29, as discussed above with respect to claim 3, there is no network management apparatus recited in claim 29, and whereby each of the video apparatuses is capable of inquiring about the states of the other video apparatuses on the network, and whereby the requesting one of the video apparatuses makes a determination as to who is to be its communication partner based solely on that information. In Ito, a central entity, that being the recording/reproducing control circuit 34, collects information from the I/O devices 10 on the network, and whereby the recording/reproducing control circuit 34 makes a decision as to which other

device is to be utilized to store information. Thus, since Ito utilizes a network management apparatus-like device and since Ito's network management apparatus-like device makes the communication partner decisions, Ito's system does not anticipate the features recited in claim 29.

Still further, with regards to dependent claims 35 and 37, the Office Action asserts that Ito discloses the features of these claims in column 7, lines 15-31. However, this assertion is incorrect. In claims 35 and 37, the communication partner is automatically selected by one of the video apparatuses based on information concerning available resources for each of the other apparatuses. (emphasis added). In Ito, on the other hand, the recording/reproducing control circuit 34, which the Office Action alleges corresponds to the claimed network management apparatus, is the one that identifies an available recording region and notifies a requesting device as to that identification. As clearly recited in claims 35 and 37, it is the one of the video apparatuses that determines its communication partner, and the network management apparatus does not make this determination.

Accordingly, claims 35 and 37 are not anticipated by Ito for these additional reasons.

Accordingly, since claims 1-10, 28-29 and 35-38 are not anticipated by Ito.

With regard to the rejection of claims 1-10 and 28-29 based on the combined teachings of Iwamura and van Steenbrugge, Iwamura's IRD is similar to Ito's recording/reproducing control circuit 34, whereby Iwamura's IRD makes decisions as to which of a plurality of other video apparatuses to utilize as a communication partner. In stark contrast, the network management apparatus of the claimed invention merely collects state information provided by the video apparatuses and supplies the collected state information to a requesting one of the video apparatuses, Iwamura's IRD clearly can be a bottleneck in his system by having to make "communication partner" decisions all the time. In stark contrast, the network management apparatus of the claimed invention is not

nearly as loaded down as Iwamura's IRD, since in the claimed invention it is the video apparatuses that determine which of the other video apparatuses is to be their communication partner based on state information provided to them by way of the network management apparatus.

Still further, please note that Iwamura's system enables changing logical connections among apparatuses in an AV network in response to a user's operation input via a screen. Also, please note that Steenbrugge discloses a switching hub that physically connects AV apparatuses.

In Iwamura and Steenbrugge, a user's operation is necessary in order to establish a connection between apparatuses. On the other hand, according to the present invention, a user's operation is not necessary in order to establish a connection between apparatuses, since the connection between apparatuses is automatically established.

Also, with respect to independent claims 3, 9 and 29, these claims do not recite a network management apparatus, and thus these claims further distinguish from the teachings of Iwamura since Iwamura's system utilizes an IRD to collect information sent from various components on his network, to make determinations based on the collected information, and to inform certain components as to those determinations. No such collection device separate from the determination device exists in the apparatus of claims 3, 9 and 29.

Since van Steenbrugge does not rectify the above-mentioned deficiencies of Iwamura, claims 1-10 and 28-29 are not unpatentable over the combined teachings of these two references.

New claims 39 and 40 have been added to recite specific features of the present invention that are not believed to be disclosed, taught or suggested by the cited art of record, when taken as a whole. In particular, a newly-connected video apparatus on the network outputs its state information onto the network, without first being requested to do so.

Therefore, since there are no other objections or rejection raised in the Office Action, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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